



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

MASCENIC REGIONAL SCHOOL
DISTRICT

Complainant

v.

MASCENIC EDUCATION
ASSOCIATION, NEA-NEW HAMPSHIRE

Respondent

CASE NO. T-0341:14
DECISION NO. 96-084
(Declaratory Judgment)

MOTION TO STAY ARBITRATION

The Board, meeting at its offices in Concord, New Hampshire, on September 26, 1996, took the following actions:

1. It reviewed the District's Motion, filed on September 17, 1996, seeking to stay the arbitration proceedings scheduled for October 8, 1996 on the issue of the payment of contractually agreed-to step increases for School Year 1996-97 while funding has allegedly been approved by the voters of the legislative body only at School Year 1995-96 funded levels.
2. It reviewed the Association's objections to the staying of the arbitration proceedings, as filed on September 23, 1996.
3. It GRANTED the District's Motion to stay the arbitration proceedings, after noting that the subject matter involved step increases and that it had responsibility for determining arbitrability under Appeal of Westmore-

land School District, 132 NH 103 (1989), and further directed that this matter be set forth for hearing by the PELRB.*

So ordered.

Signed this 27th day of September, 1996.



EDWARD J. HASELTINE, Chairman

By unanimous decision. Chairman Edward J. Haseltine presiding.
Members William Kidder and Vincent Hall present and voting.

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- * The PELRB is aware of the Association's request that any late notice postponement fees assessed by the arbitrator be paid in their entirety by the District given the date the Petition for Declaratory Judgment was filed. While that request has not been addressed in the granting of the Motion to Stay Arbitration, the PELRB is not unmindful of it and will permit the parties to present argument on the issue of payment of postponement fees at the time the Petition for Declaratory Judgment is heard on the merits.